

# **Exhibit F**

## Jonathan Moore

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**From:** Jonathan Moore  
**Sent:** Tuesday, September 23, 2014 8:28 AM  
**To:** GILD FOIA Appeals; [ice-foia@dhs.gov](mailto:ice-foia@dhs.gov)  
**Cc:** Pineiro, Fernando  
**Subject:** RE: OPLA14-1278, 2014FOIA1723  
**Attachments:** OPLA14-1278, 2014FOIA1723 Reverse adequacy of the search-affirm exemptio....pdf; 1941\_001.pdf

**Importance:** High

Hello:

I have not received a response to my e-mail below, which I sent two months ago. Nor have I received any results from an additional search for documents responsive to Mr. Gluckman's FOIA request.

Please respond to my e-mail below and provide an update on the status of ICE's response to Mr. Gluckman's FOIA request at your earliest convenience.

Sincerely,  
Jonathan Moore

**Jonathan L. Moore**  
Attorney  
McCandlish Holton, PC  
1111 E. Main St. Suite 2100 | Richmond, Virginia 23219  
Direct: (804) 775-7227 | Fax: (804) 775-7282  
[www.lawmh.com](http://www.lawmh.com) | [jmoore@lawmh.com](mailto:jmoore@lawmh.com)

**From:** Jonathan Moore  
**Sent:** Wednesday, July 23, 2014 11:55 AM  
**To:** GILD FOIA Appeals; [ice-foia@dhs.gov](mailto:ice-foia@dhs.gov)  
**Subject:** RE: OPLA14-1278, 2014FOIA1723  
**Importance:** High

Dear Sir/Madam:

I represent Mr. David E. Gluckman in connection with FOIA Request # 2014FOIA1723, which was filed with ICE on October 9, 2013. This correspondence is in response to ICE's July 9, 2014 adjudication of the FOIA appeal I previously filed on Mr. Gluckman's behalf (OPLA14-1278).

Mr. Gluckman respectfully disagrees with ICE's decision to affirm the applicability of ICE's claimed FOIA exemptions, and notes that ICE failed to consider (or respond to) the numerous arguments he presented as to why these exemptions did not apply.

Additionally, **please note that the appeal decision contains a clear factual error.** The decision acknowledged that ICE's FOIA Office "mistakenly" referenced Exemption 5 in its response to Mr. Gluckman's FOIA request. However, the decision incorrectly states that "no information was withheld pursuant to Exemption (b)(5)." **This is patently erroneous—page ICE 2014FOIA01723.000016 (attached) of ICE's initial production clearly contains redactions where ICE claimed Exemption (b)(5).** Because these redactions were concededly in error, Mr. Gluckman requests that ICE produce this document without that information redacted.

As far as the decision to reverse as to the adequacy of ICE's search, please advise as to when Mr. Gluckman can expect to receive the results of ICE's additional search for responsive documents.

Please do not hesitate to contact me if I can provide any additional information.

Sincerely,  
Jonathan Moore

**Jonathan L. Moore**  
Attorney  
McCandlish Holton, PC  
1111 E. Main St. Suite 2000 | Richmond, Virginia 23219  
Direct: (804) 775-7227 | Fax: (804) 775-7282  
[www.lawmh.com](http://www.lawmh.com) | [jmoore@lawmh.com](mailto:jmoore@lawmh.com)

**From:** GILD FOIA Appeals [<mailto:GILDFOIAAppeals@ice.dhs.gov>]  
**Sent:** Wednesday, July 09, 2014 4:19 PM  
**To:** Jonathan Moore  
**Subject:** OPLA14-1278, 2014FOIA1723

Good afternoon,

Please find attached ICE's adjudication response to your FOIA appeal.

Sincerely,

*Government Information Law Division  
Office of the Principal Legal Advisor  
Immigration and Customs Enforcement  
Department of Homeland Security  
United States of America*

**Jonathan Moore**

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**From:** Jonathan Moore  
**Sent:** Friday, September 26, 2014 12:17 PM  
**To:** Pineiro, Fernando  
**Subject:** OPLA14-1278, 2014FOIA1723

Dear Mr. Pineiro:

Thank you for your voicemail earlier today. You stated that you received my request for an update on the status of my client's FOIA request (OPLA14-1278, 2014FOIA1723) and that you have "re-tasked for search" with the ICE policy office, ICE academy, and HSI Employment Compliance Inspection Center, and that your office would process and produce those documents as soon as they arrive.

Please provide me with an anticipated completion date for this search and when my client can expect to receive additional responsive documents. Additionally, please advise as to whether/when ICE will be addressing the other concerns outlined in my July 23, 2014 correspondence relating to the decision on Mr. Gluckman's FOIA appeal, including the clear factual error in the appeal decision.

I look forward to your prompt response.

Sincerely,  
Jonathan Moore

**Jonathan L. Moore**  
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[www.lawmh.com](http://www.lawmh.com) | [jmoore@lawmh.com](mailto:jmoore@lawmh.com)

**Jonathan Moore**

---

**From:** Pineiro, Fernando [Fernando.Pineiro@ice.dhs.gov]  
**To:** Jonathan Moore  
**Sent:** Friday, September 26, 2014 1:28 PM  
**Subject:** Read: OPLA14-1278, 2014FOIA1723

Your message was read on Friday, September 26, 2014 1:27:55 PM (GMT-05:00) Eastern Time (US & Canada).

**Jonathan Moore**

---

**From:** Jonathan Moore  
**Sent:** Friday, September 26, 2014 2:43 PM  
**To:** ice-foia@dhs.gov  
**Cc:** Pineiro, Fernando  
**Subject:** RE: ICE FOIA Request 2014-ICFO-08884  
**Attachments:** OPLA14-1278, 2014FOIA1723 Reverse adequacy of the search-affirm exemptio....pdf  
**Importance:** High

Dear Sir/Madam:

The e-mail below contains numerous errors. First, I did not submit a FOIA request on September 25, 2014. My client, David Gluckman, filed a FOIA request on **October 9, 2013**, which was previously assigned reference number 2014FOIA1723.

Second, if you are referring to my correspondence of September 23, 2014 (not September 25, 2014), that correspondence was requesting an update on the status of my client's prior FOIA request (2014FOIA1723). Moreover, ICE's FOIA appeals unit remanded that request to you to conduct additional searches for responsive documents **over two months ago**, on **July 9, 2014** (decision attached).

ICE has already far exceeded even the most generous interpretation of FOIA's statutorily-mandated response period. Please confirm that the errors in your e-mail have been corrected and advise as to when ICE will produce additional documents responsive to my client's October 9, 2013 FOIA request.

Sincerely,  
Jonathan Moore

Jonathan L. Moore  
Attorney  
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1111 E. Main St. Suite 2100 | Richmond, Virginia 23219  
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[www.lawmh.com](http://www.lawmh.com) | [jmoore@lawmh.com](mailto:jmoore@lawmh.com)

**From:** [ice-foia@dhs.gov](mailto:ice-foia@dhs.gov) [<mailto:ice-foia@dhs.gov>]  
**Sent:** Friday, September 26, 2014 11:33 AM  
**To:** Jonathan Moore  
**Subject:** ICE FOIA Request 2014-ICFO-08884

September 26, 2014

Jonathan Moore  
McCandlish Holton PC  
1111 E. Main Street  
Suite 2000  
Richmond, VA 23219

**RE: ICE FOIA Case Number 2014-ICFO-08884**

Dear Mr. Moore:

This acknowledges receipt of your September 25, 2014, Freedom of Information Act (FOIA) request to U.S. Immigration and Customs Enforcement (ICE), for any and all records containing instruction, guidance, or direction for ICE employees, investigators, field offices, or contractors working with, for, or under the direction of ICE, when conducting Form 1-9 inspections, related to classifying Form 1-9 violations as "technical" or "substantive," created, developed, maintained, used, implemented, and/or disseminated (internally or externally) by ICE on or after November 25, 2008; and 2. Any and all records containing instruction, guidance, or direction for ICE employees, investigators, field offices, or contractors working with, for, or under the direction of ICE, when conducting Form 1-9 inspections, related to calculating fine amounts for Form 1-9 violations, that were

created, developed, maintained, used, implemented, and/or disseminated (internally or externally) by ICE on or after November 25, 2008. On remand, GILD recommends tasking additional ICE program offices. Your request was received in this office on September 26, 2014.

Due to the increasing number of FOIA requests received by this office, we may encounter some delay in processing your request. Per Section 5.5(a) of the DHS FOIA regulations, 6 C.F.R. Part 5, ICE processes FOIA requests according to their order of receipt. Although ICE's goal is to respond within 20 business days of receipt of your request, the FOIA does permit a 10-day extension of this time period. As your request seeks numerous documents that will necessitate a thorough and wide-ranging search, ICE will invoke a 10-day extension for your request, as allowed by Title 5 U.S.C. § 552(a)(6)(B). If you care to narrow the scope of your request, please contact our office. We will make every effort to comply with your request in a timely manner.

Provisions of the FOIA allow us to recover part of the cost of complying with your request. We shall charge you for records in accordance with the DHS Interim FOIA regulations as they apply to commercial requesters. As a commercial requester, you will be charged 10 cents per page for duplication, and for search and review time at the per quarter-hour rate (\$4.00 for clerical personnel, \$7.00 for professional personnel, \$10.25 for managerial personnel) of the searcher and reviewer. We will construe the submission of your request as an agreement to pay up to \$25.00. You will be contacted before any further fees are accrued.

We have queried the appropriate program offices within ICE for responsive records. If any responsive records are located, they will be reviewed for determination of releasability. Please be assured that one of the processors in our office will respond to your request as expeditiously as possible. We appreciate your patience as we proceed with your request.

Your request has been assigned reference number **2014-ICFO-08884**. Please refer to this identifier in any future correspondence. You may contact this office at (866) 633-1182.

Regards,

ICE FOIA Office  
Immigration and Customs Enforcement  
Freedom of Information Act Office  
500 12th Street, S.W., Stop 5009  
Washington, D.C. 20536-5009  
Telephone: 1-866-633-1182  
Visit our FOIA website at [www.ice.gov/foia](http://www.ice.gov/foia)

**Jonathan Moore**

---

**From:** Pineiro, Fernando [Fernando.Pineiro@ice.dhs.gov]  
**To:** Jonathan Moore  
**Sent:** Friday, September 26, 2014 3:02 PM  
**Subject:** Read: ICE FOIA Request 2014-ICFO-08884

Your message was read on Friday, September 26, 2014 3:02:19 PM (GMT-05:00) Eastern Time (US & Canada).



**Jonathan Moore**

---

**From:** Jonathan Moore  
**Sent:** Thursday, November 13, 2014 9:57 AM  
**To:** Pineiro, Fernando  
**Subject:** RE: OPLA14-1278, 2014FOIA1723

**Importance:** High

Mr. Pineiro:

I am writing to follow up on my e-mail below requesting an update on the status of my client's FOIA request (OPLA14-1278, 2014FOIA1723). Your voicemail on September 26, 2014 said that you had "re-tasked for search" with the ICE policy office, ICE academy, and HSI Employment Compliance Inspection Center, and that your office would process and produce those documents as soon as they arrive. I have not heard anything since September 26th.

As I previously requested, please provide me with an anticipated completion date for this search and when my client can expect to receive additional responsive documents. Additionally, please advise as to whether/when ICE will be addressing the other concerns outlined in my July 23, 2014 correspondence relating to the decision on Mr. Gluckman's FOIA appeal, including the clear factual error in the appeal decision.

I look forward to your prompt response.

Sincerely,  
Jonathan Moore

Jonathan L. Moore  
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[www.lawmh.com](http://www.lawmh.com) | [jmoore@lawmh.com](mailto:jmoore@lawmh.com)

**From:** Jonathan Moore  
**Sent:** Friday, September 26, 2014 12:17 PM  
**To:** Pineiro, Fernando  
**Subject:** OPLA14-1278, 2014FOIA1723

Dear Mr. Pineiro:

Thank you for your voicemail earlier today. You stated that you received my request for an update on the status of my client's FOIA request (OPLA14-1278, 2014FOIA1723) and that you have "re-tasked for search" with the ICE policy office, ICE academy, and HSI Employment Compliance Inspection Center, and that your office would process and produce those documents as soon as they arrive.

Please provide me with an anticipated completion date for this search and when my client can expect to receive additional responsive documents. Additionally, please advise as to whether/when ICE will be addressing the other concerns outlined in my July 23, 2014 correspondence relating to the decision on Mr. Gluckman's FOIA appeal, including the clear factual error in the appeal decision.

I look forward to your prompt response.

Sincerely,  
Jonathan Moore

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**Jonathan Moore**

---

**From:** Jonathan Moore  
**Sent:** Thursday, November 13, 2014 9:58 AM  
**To:** ice-foia@dhs.gov  
**Cc:** Pineiro, Fernando  
**Subject:** RE: ICE FOIA Request 2014-ICFO-08884

**Importance:** High

Dear Sir/Madam:

I have not received a response to my e-mail below, which was sent on September 26, 2014. As I previously outlined, your initial e-mail contains numerous errors regarding the FOIA requester, date of request, and other key information. My client, David Gluckman, filed a FOIA request on **October 9, 2013**, which was previously assigned reference number 2014FOIA1723. Notably, even if your initial e-mail was correct as to the date of the request—which it is not—ICE would still have exceeded the statutory deadline for responding to the request.

My client filed his FOIA request more than a year ago. It has been more than four months since ICE's FOIA appeals unit remanded that request to you to conduct additional searches for responsive documents. The complete lack of communication from ICE despite my repeated requests for updates suggests that my client will need to seek relief in federal court in order for ICE to take this request seriously. **As I previously requested, please confirm that the errors in your initial e-mail have been corrected and advise as to when ICE will produce additional documents responsive to my client's October 9, 2013 FOIA request.**

Sincerely,  
Jonathan Moore

Jonathan L. Moore  
Attorney  
McCandlish Holton, PC  
1111 E. Main St. Suite 2100 | Richmond, Virginia 23219  
Direct: (804) 775-7227 | Fax: (804) 775-7282  
[www.lawmh.com](http://www.lawmh.com) | [jmoore@lawmh.com](mailto:jmoore@lawmh.com)

**From:** Jonathan Moore  
**Sent:** Friday, September 26, 2014 2:43 PM  
**To:** ice-foia@dhs.gov  
**Cc:** Pineiro, Fernando  
**Subject:** RE: ICE FOIA Request 2014-ICFO-08884  
**Importance:** High

Dear Sir/Madam:

The e-mail below contains numerous errors. First, I did not submit a FOIA request on September 25, 2014. My client, David Gluckman, filed a FOIA request on **October 9, 2013**, which was previously assigned reference number 2014FOIA1723.

Second, if you are referring to my correspondence of September 23, 2014 (not September 25, 2014), that correspondence was requesting an update on the status of my client's prior FOIA request (2014FOIA1723). Moreover, ICE's FOIA appeals unit remanded that request to you to conduct additional searches for responsive documents over two months ago, on **July 9, 2014** (decision attached).

ICE has already far exceeded even the most generous interpretation of FOIA's statutorily-mandated response period. Please confirm that the errors in your e-mail have been corrected and advise as to when ICE will produce additional documents responsive to my client's October 9, 2013 FOIA request.

Sincerely,  
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**From:** [ice-foia@dhs.gov](mailto:ice-foia@dhs.gov) [<mailto:ice-foia@dhs.gov>]  
**Sent:** Friday, September 26, 2014 11:33 AM  
**To:** Jonathan Moore  
**Subject:** ICE FOIA Request 2014-ICFO-08884

September 26, 2014

Jonathan Moore  
McCandlish Holton PC  
1111 E. Main Street  
Suite 2000  
Richmond, VA 23219

**RE: ICE FOIA Case Number 2014-ICFO-08884**

Dear Mr. Moore:

This acknowledges receipt of your September 25, 2014, Freedom of Information Act (FOIA) request to U.S. Immigration and Customs Enforcement (ICE), for any and all records containing instruction, guidance, or direction for ICE employees, investigators, field offices, or contractors working with, for, or under the direction of ICE, when conducting Form 1-9 inspections, related to classifying Form 1-9 violations as "technical" or "substantive," created, developed, maintained, used, implemented, and/or disseminated (internally or externally) by ICE on or after November 25, 2008; and 2. Any and all records containing instruction, guidance, or direction for ICE employees, investigators, field offices, or contractors working with, for, or under the direction of ICE, when conducting Form 1-9 inspections, related to calculating fine amounts for Form 1-9 violations, that were created, developed, maintained, used, implemented, and/or disseminated (internally or externally) by ICE on or after November 25, 2008. On remand, GILD recommends tasking additional ICE program offices. Your request was received in this office on September 26, 2014.

Due to the increasing number of FOIA requests received by this office, we may encounter some delay in processing your request. Per Section 5.5(a) of the DHS FOIA regulations, 6 C.F.R. Part 5, ICE processes FOIA requests according to their order of receipt. Although ICE's goal is to respond within 20 business days of receipt of your request, the FOIA does permit a 10- day extension of this time period. As your request seeks numerous documents that will necessitate a thorough and wide-ranging search, ICE will invoke a 10-day extension for your request, as allowed by Title 5 U.S.C. § 552(a)(6)(B). If you care to narrow the scope of your request, please contact our office. We will make every effort to comply with your request in a timely manner.

Provisions of the FOIA allow us to recover part of the cost of complying with your request. We shall charge you for records in accordance with the DHS Interim FOIA regulations as they apply to commercial requesters. As a commercial requester, you will be charged 10 cents per page for duplication, and for search and review time at the per quarter-hour rate (\$4.00 for clerical personnel, \$7.00 for professional personnel, \$10.25 for managerial personnel) of the searcher and reviewer. We will construe the submission of your request as an agreement to pay up to \$25.00. You will be contacted before any further fees are accrued.

We have queried the appropriate program offices within ICE for responsive records. If any responsive records are located, they will be reviewed for determination of releasability. Please be assured that one of the processors in our office will respond to your request as expeditiously as possible. We appreciate your patience as we proceed with your request.

Your request has been assigned reference number **2014-ICFO-08884**. Please refer to this identifier in any future correspondence. You may contact this office at (866) 633-1182.

Regards,

ICE FOIA Office  
Immigration and Customs Enforcement  
Freedom of Information Act Office  
500 12th Street, S.W., Stop 5009

Washington, D.C. 20536-5009  
Telephone: 1-866-633-1182  
Visit our FOIA website at [www.ice.gov/foia](http://www.ice.gov/foia)

**Jonathan Moore**

---

**From:** Jonathan Moore  
**Sent:** Friday, November 21, 2014 9:51 AM  
**To:** ICE-FOIA  
**Cc:** Pineiro, Fernando  
**Subject:** RE: 2014-ICFO-0884/2014FOIA1723

**Importance:** High

Dear Sir/Madam:

I have not received a response to my e-mail below. As I previously requested, please advise as to when you anticipate receiving the search results from the final program office, as well as to when ICE will be producing the documents from the program offices who have already completed their searches. Again, Mr. Gluckman is amenable to the rolling production of documents, so please produce these documents to me (preferably by e-mail) at your earliest convenience.

ICE has greatly exceeded even the most generous interpretation of FOIA's statutorily-mandated deadlines. I look forward to your prompt response in the interest of resolving this FOIA request that was filed more than a year ago.

Sincerely,  
Jonathan Moore

Jonathan L. Moore  
Attorney  
McCandlish Holton, PC  
1111 E. Main St. Suite 2100 | Richmond, Virginia 23219  
Direct: (804) 775-7227 | Fax: (804) 775-7282  
[www.lawmh.com](http://www.lawmh.com) | [jmoore@lawmh.com](mailto:jmoore@lawmh.com)

**From:** Jonathan Moore  
**Sent:** Thursday, November 13, 2014 1:18 PM  
**To:** ICE-FOIA  
**Cc:** Pineiro, Fernando  
**Subject:** RE: 2014-ICFO-0884/2014FOIA1723

Thank you for this status update. Please advise as to when you anticipate receiving the search results from the final program office.

Also, Mr. Pineiro previously stated that there were at least three program offices who would be conducting searches for responsive documents. Please advise as to when ICE will be producing the documents from the program offices who have already completed their searches. Mr. Gluckman is amenable to the rolling production of documents, so please produce these documents to me (preferably by e-mail) at your earliest convenience.

I look forward to receiving your prompt response.

Thanks again,  
Jonathan Moore

Jonathan L. Moore  
McCandlish Holton, PC  
(804) 775-7227  
[www.lawmh.com](http://www.lawmh.com) | [jmoore@lawmh.com](mailto:jmoore@lawmh.com)

**From:** ICE-FOIA [<mailto:ICE-FOIA@ice.dhs.gov>]  
**Sent:** Thursday, November 13, 2014 12:39 PM

**To:** Jonathan Moore

**Subject:** 2014-ICFO-0884/2014FOIA1723

Good afternoon Mr. Moore,

This email serves as a status update on appeal 2014-ICFO-0884/2014FOIA1723. Currently, the ICE FOIA office is waiting on one final program office to produce the results of their search. As soon as the FOIA office receives and compiles the results of the new search, the FOIA office will begin to process the documents.

In your e-mail, you referenced an email you received from the [ice-foia@dhs.gov](mailto:ice-foia@dhs.gov) email on September 26, 2014 . This e-mail was auto generated when new information was entered into our FOIA management software program. We understand that you had not submitted a new FOIA request on that date and that the original FOIA was filed by your client, David Gluckman, on October 9, 2013. We apologize for the confusion.

-ICE FOIA

**Jonathan Moore**

---

**From:** Jonathan Moore  
**Sent:** Monday, December 22, 2014 2:59 PM  
**To:** ICE-FOIA  
**Cc:** Pineiro, Fernando  
**Subject:** RE: 2014-ICFO-08884/2014FOIA1723

**Importance:** High

Dear Sir/Madam:

I am again following up on the status of ICE's response to my client's FOIA request (2014FOIA1723). Please advise as to when ICE will begin producing additional responsive records, as well as when it anticipates completing its search of the final program office.

Thanks again,  
Jonathan Moore

Jonathan L. Moore  
McCandlish Holton, PC  
(804) 775-7227  
[www.lawmh.com](http://www.lawmh.com) | [jmoore@lawmh.com](mailto:jmoore@lawmh.com)

**From:** ICE-FOIA [<mailto:ICE-FOIA@ice.dhs.gov>]  
**Sent:** Monday, December 15, 2014 5:26 PM  
**To:** Jonathan Moore  
**Subject:** RE: 2014-ICFO-08884/2014FOIA1723

Mr. Moore,

The ICE FOIA processor assigned to your FOIA request (2014FOIA1723) is currently working on processing the results of the initial search and the final program office is actively working on finishing their search. We are working very hard to provide you with a response shortly.

-Regards,

ICE FOIA

**From:** Jonathan Moore [<mailto:jmoore@lawmh.com>]  
**Sent:** Monday, December 15, 2014 2:22 PM  
**To:** Pineiro, Fernando  
**Subject:** RE: 2014-ICFO-08884/2014FOIA1723  
**Importance:** High

Mr. Pineiro:

I am requesting an update on the status of ICE's response to my client's FOIA request (2014FOIA1723). Please advise as to when ICE will begin a rolling production of documents, as well as when it anticipates completing its search for responsive documents.

Thanks again,  
Jonathan Moore



Jonathan L. Moore  
McCandlish Holton, PC  
(804) 775-7227  
[www.lawmh.com](http://www.lawmh.com) | [jmoore@lawmh.com](mailto:jmoore@lawmh.com)

**From:** Pineiro, Fernando [<mailto:Fernando.Pineiro@ice.dhs.gov>]  
**Sent:** Tuesday, December 09, 2014 5:06 PM  
**To:** Jonathan Moore  
**Subject:** RE: 2014-ICFO-08884/2014FOIA1723

Not at all, I've verified that it has been assigned to a processor and I personally contacted the remaining program office conducting a search. Your case will be actively worked on until completion.

*Fernando Pineiro Jr.*  
Deputy Assistant Director  
Freedom of Information Act Office  
Immigration and Customs Enforcement  
Department of Homeland Security  
Main Number: (202) 732-5600  
Main Number toll-free: (866) 633-1182  
Fax Number: (202) 732-4265

For more information, please visit <http://www.ice.gov/foia/>

**From:** Jonathan Moore [<mailto:jmoore@lawmh.com>]  
**Sent:** Tuesday, December 09, 2014 4:39 PM  
**To:** Pineiro, Fernando  
**Subject:** RE: 2014-ICFO-08884/2014FOIA1723  
**Importance:** High

Mr. Pineiro:

This e-mail will confirm our phone conversation a few minutes ago. My client, David Gluckman, filed this FOIA request (2014FOIA1723) on October 9, 2013. As we discussed, you had previously authorized rolling production of documents in response to my prior e-mail. However, as I mentioned, to date, I have not received any additional documents from ICE. You stated that you would personally look into the status of this request, facilitate the rolling production of documents, and provide me with an update in the next few days.

Please let me know if I have misunderstood any aspect of our conversation. Otherwise, I will await an update from you this week (as well as the production of additional documents).

Sincerely,  
Jonathan Moore

Jonathan L. Moore  
Attorney  
McCandlish Holton, PC  
1111 E. Main St. Suite 2100 | Richmond, Virginia 23219  
Direct: (804) 775-7227 | Fax: (804) 775-7282  
[www.lawmh.com](http://www.lawmh.com) | [jmoore@lawmh.com](mailto:jmoore@lawmh.com)

-----Original Message-----

From: Jonathan Moore  
Sent: Friday, November 21, 2014 4:19 PM  
To: ICE-FOIA  
Cc: Pineiro, Fernando  
Subject: RE: 2014-ICFO-08884/2014FOIA1723  
Importance: High

Dear Sir/Madam:

Respectfully, this is not responsive to my prior e-mails and does not provide any updated information. Please provide me with an estimate as to when you anticipate receiving the search results from the final program office.

Also, while you are waiting for that program office to produce the results of its search, please produce the results of the searches conducted by other program offices. Mr. Pineiro previously stated that there were at least three program offices who would be conducting searches for responsive documents---that would mean that you have already received the results of searches conducted by at least two other program offices.

I have been contacting you in an attempt to facilitate a response to my client's FOIA request without my client having to seek relief in federal court. However, ICE has repeatedly failed to make a good-faith effort to communicate with me about the status of its response to my client's FOIA request. If this lack of communication persists, I will have no choice but to proceed with filing a Complaint in the U.S. District Court for the Eastern District of Virginia on my client's behalf.

As previously requested, please provide me with (1) an estimate as to when you anticipate receiving the search results from the final program office and (2) an initial production of the responsive documents that were identified by the searches conducted by other program offices.

Sincerely,  
Jonathan Moore

Jonathan L. Moore  
McCandlish Holton, PC  
(804) 775-7227  
[www.lawmh.com](http://www.lawmh.com) | [jmoore@lawmh.com](mailto:jmoore@lawmh.com)

-----Original Message-----

From: ICE-FOIA [<mailto:ICE-FOIA@ice.dhs.gov>]  
Sent: Friday, November 21, 2014 11:36 AM  
To: Jonathan Moore  
Subject: RE: 2014-ICFO-08884/2014FOIA1723

Good Morning Mr. Moore,

This email serves as a status update on appeal 2014-ICFO-0884/2014FOIA1723. The ICE FOIA office is still waiting on one final program office to produce the results of their search, and your request is still being processed.

-ICE FOIA

From: Jonathan Moore [<mailto:jmoore@lawmh.com>]  
Sent: Friday, November 21, 2014 9:51 AM  
To: ICE-FOIA  
Cc: Pineiro, Fernando  
Subject: RE: 2014-ICFO-0884/2014FOIA1723  
Importance: High

Dear Sir/Madam:

I have not received a response to my e-mail below. As I previously requested, please advise as to when you anticipate receiving the search results from the final program office, as well as to when ICE will be producing the documents from the program offices who have already completed their searches. Again, Mr. Gluckman is amenable to the rolling production of documents, so please produce these documents to me (preferably by e-mail) at your earliest convenience.

ICE has greatly exceeded even the most generous interpretation of FOIA's statutorily-mandated deadlines. I look forward to your prompt response in the interest of resolving this FOIA request that was filed more than a year ago.

Sincerely,  
Jonathan Moore

Jonathan L. Moore  
Attorney  
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From: Jonathan Moore  
Sent: Thursday, November 13, 2014 1:18 PM  
To: ICE-FOIA  
Cc: Pineiro, Fernando  
Subject: RE: 2014-ICFO-0884/2014FOIA1723

Thank you for this status update. Please advise as to when you anticipate receiving the search results from the final program office.

Also, Mr. Pineiro previously stated that there were at least three program offices who would be conducting searches for responsive documents. Please advise as to when ICE will be producing the documents from the program offices who have already completed their searches. Mr. Gluckman is amenable to the rolling production of documents, so please produce these documents to me (preferably by e-mail) at your earliest convenience.

I look forward to receiving your prompt response.

Thanks again,  
Jonathan Moore

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From: ICE-FOIA [<mailto:ICE-FOIA@ice.dhs.gov>]  
Sent: Thursday, November 13, 2014 12:39 PM  
To: Jonathan Moore  
Subject: 2014-ICFO-0884/2014FOIA1723

Good afternoon Mr. Moore,

This email serves as a status update on appeal 2014-ICFO-0884/2014FOIA1723. Currently, the ICE FOIA office is waiting on one final program office to produce the results of their search. As soon as the FOIA office receives and compiles the results of the new search, the FOIA office will begin to process the documents.

In your e-mail, you referenced an email you received from the [ice-foia@dhs.gov](mailto:ice-foia@dhs.gov) email on September 26, 2014 . This e-mail was auto generated when new information was entered into our FOIA management software program. We understand that you had not submitted a new FOIA request on that date and that the original FOIA was filed by your client, David Gluckman, on October 9, 2013. We apologize for the confusion.

-ICE FOIA

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**Jonathan Moore**

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**From:** ICE-FOIA [ICE-FOIA@ice.dhs.gov]  
**To:** Jonathan Moore  
**Sent:** Tuesday, January 06, 2015 10:30 AM  
**Subject:** Not read: RE: 2014-ICFO-08884/2014FOIA1723

Your message was deleted without being read on Tuesday, January 06, 2015 10:30:28 AM (GMT-05:00) Eastern Time (US & Canada).